

Committee on Resources

Subcommittee on Fisheries Conservation, Wildlife and Oceans

Statement

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On Behalf of the

Association of National Estuary Programs

Before the

**Subcommittee on Fisheries, Conservation,
Wildlife and Oceans**

House Committee on Resources

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On behalf of the Association of National Estuary Programs (ANEP), we appreciate the opportunity to submit to the Subcommittee on Fisheries, Conservation, Wildlife and Oceans our views on the protection and restoration of the Nation's estuaries and on the strong linkage we see between the National Estuary Program (NEP) and the goals and process described in H.R. 1775. The Association of National Estuary Programs is a non-profit organization dedicated to promoting stewardship and a common vision for the preservation of the nation's bays and estuaries. Our members include representatives of industry, agriculture, fisheries, tourism, and the greater business community who volunteer their time to develop and implement comprehensive management plans for a network of nationally significant estuaries.

We are pleased that this Subcommittee is turning its attention to the state of critical habitat in the Nation's estuaries, through the introduction of the bill being discussed today. Loss and degradation of estuary habitat has been identified as a priority problem in the 28 estuaries within the NEP - estuaries designated by Congress as of national significance. H.R. 1775, the Estuary Habitat Restoration Partnership Act of 1999, introduced by Mr. Gilchrest of Maryland, clearly recognizes the critical importance of estuarine habitat to the ecological and economic health of our Nation and to the quality of life of our citizens. This bill creates a national program with a strong regional component to fund estuary habitat restoration efforts in partnership

with the States, non-governmental organizations and local communities.

The Association of National Estuary Programs strongly endorses H.R. 1775. Those of us who work everyday with citizen groups and municipalities across the nation on habitat restoration projects would find the federal funding and support for this issue that this bill would provide a critical resource in achieving restoration goals for our estuaries. In setting goals, committing funding, and including regional input to the process defined in this bill, Congress would make the federal government a real partner with the States in restoring the nation's estuarine resources.

H.R. 1775 and the National Estuary Program: A Complementary Approach to Estuary Restoration and Management

H.R. 1775 lists the following among the purposes of the bill:

To develop strategies to obtain national and regional objectives for estuary habitat restoration;

To foster communication between Federal, state and community estuary habitat restoration programs;

To establish effective estuary habitat restoration partnerships among public agencies at all levels of government and between public and private sectors;

To develop and enhance monitoring and research capabilities to ensure that estuary habitat restoration efforts are based on sound scientific understanding.

This testimony will illustrate how the National Estuary Program is already fulfilling those purposes in estuaries across the nation and how this national program will be strongly connected to and support the goals of the Estuary Habitat Restoration Partnership Act.

The Estuary Habitat Restoration Partnership Act focuses on restoring degraded habitat, taking a targeted approach that focuses specifically on habitat restoration project selection and funding. However, the bill does recognize that successful estuary habitat restoration cannot take place in a vacuum. Even a painstakingly planned habitat restoration project can be undermined by other factors like serious water quality problems, land use impacts, changes in freshwater flows or invasive species. While H.R. 1775's mission is urgently needed, it is not broad enough to address the entire spectrum of pressures on our estuaries that can impact habitat restoration. Section 107 (d) of H.R. 1775 specifically assigns high priority to projects where there is "a program within the watershed of the estuary habitat restoration project that addresses sources of pollution and other activities that otherwise would re-impair the restored habitat" and it requires that estuary habitat restoration efforts funded under the bill be consistent with estuary management plans, referring to the Comprehensive Conservation and Management Plans created under the NEP. These issues and activities mentioned are ones that the NEPs are investigating and acting on, building collaborative solutions for estuary problems.

The NEP is broad-based, taking a comprehensive approach to addressing the wide range of problems facing the Nation's estuaries - preventing habitat degradation and loss of recreational and commercial fisheries, protecting and improving water quality, pioneering watershed management techniques, controlling sewage outfalls and septic system impacts, mitigating impacts from increasing coastal land development, developing strategies to deal with invasive species and harmful algal blooms - the list goes on and reflects the inter-related nature of these problems and the community-based nature of the NEP approach. The watershed-

based perspective of the NEPs ensures that interrelated issues are considered and addressed in undertaking restoration projects.

The process established by H.R. 1775 would rely on existing plans or strategies for habitat restoration in the nation's estuaries, as well as on estuary-specific scientific habitat data as a foundation for effective restoration projects. The strength of the NEPs is comprehensive planning for restoration in a watershed context, whereas the focus of H.R. 1775 is to provide federal funding for local organizations to undertake specific restoration projects. The NEPs have taken a lead role in this type of planning. For example, the Narragansett Bay Estuary Program convened nearly 100 coastal stakeholders for a daylong workshop on habitat restoration, resulting in a set of clear recommendations for research, planning, management and legislation to further restoration goals. The NBEP also used the input of these participants to develop a comprehensive map and inventory of coastal restoration sites, identifying existing, planned and proposed projects. Since 1994, the NBEP has been developing the scientific data and methodology necessary for a statewide coastal habitat restoration plan – a plan with tremendous local support that now nears completion. The program is also conducting field-based research projects to develop detailed scientific criteria for evaluating estuary habitat restoration project success, aiding the development of monitoring protocols. The actions of this particular NEP reflect the work of NEPs across the nation in addressing this critical issue. As long-range planning and organizing entities, the NEPs have, through a consensus-based process, worked out the appropriate courses of action that will lead to coordinated and collaborative coastal habitat restoration actions.

The NEPs have the ability to present the Council established by H.R. 1775 with timely, prioritized projects with support from local stakeholders. Over the last decade, NEPs have conducted a wide variety of restoration projects and have plans for many more; refer to the attached *NEP Habitat Restoration Project List*. The programs provide an organizational framework to coordinate local restoration actions, state and federal programs and the functions of the Council. In many cases, planning and logistical details have been worked out in advance; funding is the last necessary component. The programs have been working on this process for several years; H.R. 1775 would be a logical and well-timed receptor of the results of this work.

We believe that the passage of H.R. 1775 will allow the NEPs to move forward on the habitat restoration goals set forth in their community-based estuary management plans while providing the Regional Councils with a strong connection to local habitat restoration needs in our estuaries. The bill identifies a potential important role for the NEPs as non-voting members of Regional Councils. These programs can be an important partner and resource to the Regional Councils, providing organizational and technical advice and support. The abilities of the NEPs matched with the process and funding set up by H.R. 1775 will form a chain of action stretching from local watersheds to the Federal level that will result in the kind of measurable environmental progress that we are all working to achieve.

It is also clear that it will be a challenging task for States to consistently meet the 35 percent match requirement created in the bill. It will require a well-developed ability to secure non-federal match and careful coordination of matching funds. This ability to leverage funds and resources is a hallmark of the NEPs. In fact, a recent report from the NEPs shows that, based on a conservative analysis, **for every Clean Water Act Section 320 dollar invested, the NEPs leverage at least 2 dollars from state, local, foundation and other funding sources and services**. There are few federal programs that can show this kind of return on investment. This also reflects the level of State and local commitment to the NEPs as well as recognition that these programs are an effective catalyst for action in our nation's estuaries. The NEPs will no doubt play a critical role in planning for and securing local match for the funding provided by H.R.

1775.

ANEP has a specific comment regarding the language in H.R. 1775. We support a change that where in the bill ?estuary management plans? are referred to, the CCMPs created under the NEP are specifically identified as such plans.

The National Estuary Program: Securing a Sound Future for the Nation?s Estuaries

It is well established that estuaries are the biologically essential, economically priceless, but fragile connections between the continent and the oceans. The entire nation is served by coastal estuaries in numerous ways, such as commercial and recreational fishing, transportation, defense, boating, research and learning, and providing irreplaceable wildlife and fisheries habitat. The estuaries designated by Congress to be part of the NEP now include forty-two percent of the continental United States shoreline and are among the most productive in the Nation. Economically, these estuaries of national significance produce over \$7 billion in revenue from commercial and recreational fishing and related marine industries; tourism and recreation in these estuaries are valued at over \$16 billion annually. Through the National Estuary Program, citizens, municipalities, environmental groups and interested business and industry organizations come together with State and Federal governments to reach agreement on long-term management plans that seek to guarantee the economic and biological productivity of the nation?s estuaries into the future.

The National Estuary Program has evolved into a leader in coastal watershed protection and restoration over the last decade and a half. Each NEP serves as the primary technical and coordination support structure (and frequently the initiator) for a wide range of partnerships and actions to conserve and restore the estuary. Starting with four pilot programs in 1985, the success of and need for the program has led to the current status ? 28 estuaries in the national program of which 10 are in the developmental stage and 18 are in the implementation stage of their individual Comprehensive Conservation and Management Plans (CCMP). Local citizens guide the development and implementation of their plans, and, using the abilities of their local NEPs, work to leverage Federal and state dollars with contributions from local governments and the private sector.

The National Estuary Program is clearly not the ?command-and-control? type of Federal program. Rather, it is a program where local governments, citizens and the private sector come together and agree on how to manage the Nation?s estuaries and on how to craft local solutions to common coastal problems. Only with the full support of the local sector is the proposed CCMP submitted to the state governors and the EPA Administrator for approval. Thus, it is the states, in close coordination with the local stakeholders and the Federal government, that create and implement new, non-adversarial and cost-effective estuary management plans, in contrast to the traditional, top-down approach to environmental protection, largely divorced from local input.

The NEP has a history of valuing community involvement and building support for initiatives.

Citizens see these programs (and their staffs) as a part of a governmental structure that uses resources efficiently, is responsive to their needs, and is effective in solving problems and raising issues and awareness. NEPs have been particularly effective in identifying and funneling relevant resources (grants, technical assistance, etc.) to states, communities and citizen groups. The National Estuary Program is one of a handful of federal non-regulatory programs that truly attempt to address local concerns. This effective national network of programs shares its experiences and lessons learned with each other and with other watershed and governmental organizations. It has been and, with continued support at the Federal level, will

continue to be a national resource for the protection and improvement of the nation's estuaries.

We thank the Subcommittee for providing us the opportunity to express our support for H.R. 1775 and to share our views on the connection between the National Estuary Program and this bill. The Association of National Estuary Programs stands ready to assist the Subcommittee as it works to pass this vital legislation.

National Estuary Program Habitat Restoration Project List

Listed below are examples of NEP estuary habitat restoration projects, completed, ongoing and planned. The passage of H.R. 1775 would allow continuance and expansion of these efforts to better meet the Nation's estuary habitat restoration needs.

The Massachusetts Bays Program led an interagency approach to shellfish bed restoration that will restore and protect 13 shellfish beds along Massachusetts and Cape Cod Bays. As part of this effort, the program has linked up with business interests to promote innovative technologies for pollution prevention and remediation. The program has also supported a comprehensive inventory of tidally restricted coastal wetlands in Massachusetts and is funding two fish passageway projects.

Through the work of the Barnegat Bay NEP, more than 32,000 acres of critical coastal habitat area have been preserved in Barnegat Bay, New Jersey.

Over 40,000 acres of impounded marsh and mangrove wetlands have been reconnected to the Indian River Lagoon on Florida's eastern coast, one of the most U.S. productive ecosystems in an area with high population growth and human pressures. On the Gulf Coast, the Sarasota NEP has helped achieve a 28-38 percent reduction in nitrogen loadings to the Bay, spurring a seven percent increase in the growth of seagrass beds.

Maine's Casco Bay Estuary Program teamed up with local lobstermen to study habitat in Portland Harbor (discovering that the harbor supported a thriving lobster community, larger than anyone had thought) and then to relocate thousands of harbor lobsters to other areas while the harbor was dredged thereby protecting an important natural resource while supporting the increased economic development that the dredging allowed.

The New York/New Jersey Harbor NEP, through its Habitat Workgroup, has prioritized and produced GIS coverages of habitat sites targeted for restoration and acquisition by the two states. This process has already resulted in the funding several millions of dollars worth of restoration projects. The data is being used to identify not just potential sites, but also other factors that can impair restoration such as erosion problems and incompatible land uses. A range of projects target saltmarshes, freshwater wetlands, stream corridors, waterfowl foraging areas, fish runs, invasive plant removal, dredge material reuse, artificial reefs, coastal grasslands, oyster and shellfish beds and upland forest.

Leading a partnership effort, the Charlotte Harbor NEP has restored over 700 acres on public lands through removal of non-native plant species such as Melaleuca, Brazilian pepper, and Australian pine as well as the restoration of natural hydrology. These plants were over-running and out-competing native plants. Another priority is the restoration of heavily damaged seagrass beds using innovative techniques to promote rapid re-growth.

On November 6, 1998, the Seabrook Middle Ground clam flat in coastal New Hampshire was reopened to

clamming for the first time in nearly 10 years due to work coordinated by the New Hampshire NEP. The reopening points to marked water quality improvements in the Harbor largely due to increased municipal sewerage coverage in the Town of Seabrook and other smaller scale pollution control measures around the Harbor.

The Barataria-Terrebone Estuary Program has led a local planning effort to restore oyster-growing areas to safe harvest conditions. The program sponsored local stakeholder meetings which identified 61 candidate restoration sites and a smaller set of priority sites were selected for immediate action.

The Narragansett Bay Estuary Program has been the state point-of-contact for a multi-million dollar Army Corps of Engineers Ecological Restoration Initiative. The NBEP organized a stakeholder group to work with the Corps to develop a list of priority coastal wetland and anadromous fish run restoration sites. The NBEP persuaded the Corps to also provide basic engineering studies for a number of the identified sites. The program has two saltmarsh restoration projects in this year's workplan and recently secured over \$200,000 from the R.I.'s Oil Spill and Response Fund to support coastal habitat mapping and restoration equipment purchases.

The Tampa Bay NEP set an initial goal of restoring 100 acres of low-salinity wetland habitat - this goal has already been met through the combined efforts of local, state and federal programs, and non-profits groups such as Tampa Baywatch. The program has set an overall seagrass restoration goal of 12,000 acres.

The San Francisco Estuary Project's top priority is to expand, restore and protect wetlands. Working with state, federal and local agencies, as well as private organizations, this NEP developed the Baylands Ecosystem Habitat Goals Report - a scientific guide for restoring and improving the baylands and adjacent habitats of the San Francisco estuary.

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